IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 156 (M/B) of 2006 (Crl)

1. Addul Halim Siddiqui, son of late Sri. Varis Siddiqui, resident of Sharay August, District – Etah, Uttar Pradesh.

2. Bablu, son of Sri Fateh, Mohammad Siddiqui, resident of Mohalla Qazi Yakudganj, District – Farrukhabad, Uttar Pradesh.

……Petitioners

Versus

1. State of Uttaranchal through Secretary, Home, Government of Uttaranchal, Dehradun.
2. Senior Superintendent of Police, Dehradun.

……..Respondents

Sri Shaud Anwar, learned counsel for the petitioner
Learned Government Advocate for respondent.

Coram:
Hon'ble M.M. Ghildiyal, J.
Hon'ble B.C. Kandpal, J.

Oral Judgment (Per Hon'ble B.C. Kandpal, J.).

Petitioners have filed this writ petition under Article 226 of the Constitution of India read with Section 482 of Cr. P.C. for quashing of FIR in case crime no. 27 of 2006, P.S. Kotwali, Dehradun under sections 326, 342, 506 read with section 120 – B of IPC.

Heard learned counsel for the parties and perused the record. Learned counsel for the petitioners has argued that petitioners are neither named in the FIR nor any prima facie case is made out against them.

We do not find any force in the arguments advanced by the learned counsel for the petitioners.

We are not supposed to embark upon an inquiry with regard to the reliability of the evidence and the sustainability of the accusation on the reasonable appreciation of such evidence, as the evidence are still hazy and incomplete.

Writ petition lacks of merit and liable to be dismissed.

Accordingly, the writ petition is dismissed.

(B.C. Kandpal, J) **(M.M. Ghildiyal, J)**

February 14, 2006
SKSharma